

**CITY OF CLEWISTON**  
**Regular Commission Meeting**  
**November 18, 2013**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, November 18, 2013. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. Pastor John Hicks gave the invocation and the audience recited the Pledge of Allegiance.

**Attendance:**

**Commissioners Present:** Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Richard Miller, Commissioner James Pittman, and Commissioner Julio Rodriguez.

**Personnel Present:** City Manager Al Perry, Finance Director Ted Byrd, Police Chief Don Gutshall, City Clerk Marilyn McCorvey, Library Director Ava Barrett, Community Development Director Travis Reese, Utilities Office Manager Rhonda Davis, Utilities Director Danny Williams, City Attorney Charles Schoech, and City Engineer Tommy Perry.

**Visitors Present:** Terry Gardner, Asa & Betty Godsey, John Hicks, Joe Hosick, Christine Howell, Donald Hughes, Paula Pittman, and Curtiss Pullen.

**ADDITIONS/DELETIONS/CHANGES TO THE AGENDA** – City Manager Perry asked that Agenda Item No. 10 be deleted from the agenda. The Commission agreed.

**1. Consent Agenda**

- A. *City Commission Workshop Minutes – October 17, 2013*
- B. *City Commission Meeting Minutes – October 21, 2013*
- C. *Event Application – ACFC Winter Wonderland December 14*
- D. *Hendry County Library Cooperative Annual Plan of Service 2013-2014*

**Commissioner Pittman made a motion, seconded by Commissioner Gardner, to approve the Consent Agenda. Vote 5 yeas, 0 nays.**

**PUBLIC HEARING**

- 2. Public Hearing - Recent Driveway and Upgrades Installations** - Property owners affected by the installation of driveway aprons will be given the opportunity to bring up their concerns or comments regarding the costs imposed on them by the City. Mayor Roland opened the public hearing and City Manager Perry summarized the purpose of the public hearing stating the issue was the assessments made to property owners for driveway aprons. Mr. Perry stated the public hearing was advertised in the Clewiston News on November 7, 2013. Mr. Joe Hosick representing the Mental Health Center, stated that two aprons were installed at their facility at a cost of over \$1700. Mr. Hosick stated the center is tax exempt and asked that the City consider the apron paving as an in-kind service. City Attorney Schoech stated that this is a benefit assessment meaning it benefitted the property owners and the City is not allowed to consider this as an in-kind service by Florida Statute. The assessments may be paid in full or paid off in ten (10) years through the property appraiser. The Commission suggested that Mr. Hosick have a discussion with City Manager Perry how the City might be able to assist the Mental Health Center. Mayor Roland closed the public hearing.

**Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve the assessments proposed by the City. Vote 5 yeas, 0 nays.**

**RESOLUTIONS**

- 3. Resolution No. 2013-11** – This Resolution relates to special assessments for the overlay of paved driveway aprons and the construction and installation of new paved driveway aprons. City Manager Perry read Resolution 2013-11 by title.

**Commissioner Pittman made a motion, seconded by Commissioner Rodriguez, to approve Resolution No. 2013-11. Vote 5 yeas, 0 nays.**

4. **Resolution No. 2013-12** - This Resolution adopts amendments to the budget for FY 2013-2014 to the General Fund and the Grant Fund. City Manager Perry read Resolution 2013-12 by title.

**Commissioner Gardner made a motion, seconded by Commissioner Miller, to approve Resolution No. 2013-12. Vote 5 yeas, 0 nays.**

#### **MISCELLANEOUS ACTION AND DISCUSSION ITEMS**

5. **Employee Tokens of Appreciation** – Since 1977, the City Commission has approved awarding tokens of Appreciation to all City employees, full-time, part-time, volunteer firemen and Police Auxiliary. Commissioner Gardner stated that times have not been easy in the City relating to salaries and this is the time to show appreciation to our employees.

**Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve the proposed tokens of appreciation. Vote 4 yeas, 0 nays. (Commissioner Pittman abstained)**

6. **Approval of Agreement With County, City and Tax Collector Regarding Special Assessments for East Rec.** This Agreement gives the County and City until March 1, 2014 to adopt resolutions of intent to use the uniform method to collect non-ad valorem assessments, etc. City Attorney Schoech has reviewed this agreement and it has been prepared pursuant to Florida Statute. Commissioner Pittman stated he would like to see how the current East Rec interlocal agreement with the County works for one year and see the actual costs and programs put into place. Commissioner Pittman stated he is not sure he is ready to put an MSBU on the residents of the City. Commissioner Pittman feels that the City is premature in this as he would like to see how much City taxes are going to go down before an MSBU goes forward. Mayor Roland stated this agreement merely gives us the option of going forward if we choose. City Attorney Schoech stated this agreement implements the process and is a prerequisite to the assessment, but it does not require implementation. Commissioner Pittman stated he needs more information and he felt this was premature. Commissioner Rodriguez stated that this agreement is laying the ground work and he would not entertain adopting an MSBU until the discussion of a tax reduction for our citizens takes place. Commissioner Gardner stated this is the first time the three entities, City, County and School Board, have discussed recreation. Mayor Roland stated the City must perform due diligence at budget time for the coming year and should be able to reduce the City's recreation budget. Commissioner Rodriguez stated he did not support the interlocal agreement and agrees that if this process does not reduce taxes for City residents, we should not go forward.

**Commissioner Gardner made a motion, seconded by Commissioner Miller, to approve the Agreement with County, City and Tax Collector. Vote 4 yeas, 1 nay. Commissioner Pittman voted nay.**

7. **Approval of Agreement With County, City and Property Appraiser Regarding Special Assessments for East Rec.** This Agreement gives the County and City until March 1, 2014 to adopt resolutions of intent to use the uniform method to collect non-ad valorem assessments, etc.

**Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve the Agreement with County, City and Property Appraiser. Vote 4 yeas, 1 nay. Commissioner Pittman voted nay.**

8. **City Staff Desires Approval to Advertise a Public Hearing for the East Hendry County Recreation Municipal Services Benefit Unit (MSBU).** It is our intention to have the public hearing on this matter in January and will be advertised accordingly.

**Commissioner Rodriguez made a motion, seconded by Commissioner Gardner, to approve advertising for a public hearing regarding the MSBU. Vote 4 yeas, 1 nay. Commissioner Pittman voted nay.**

9. **Award of 2014 Paving Bid** – The City received four bids for the 2014 paving project. City Engineer Perry and Public Works Director Scheffler recommended the project be awarded to the low bidder, Weekley Asphalt, for the base bid and the alternate bid for a total of \$182,695.72.

**Commissioner Gardner made a motion, seconded by Commissioner Pittman, to award the 2014 Paving Project bid to Weekley Asphalt for the base amount of \$147,492.22 and the alternate amount of \$35,203.50, for a total of \$182,695.72. Vote 5 yeas, 0 nays.**

**10. Sign Ordinance Discussion** – Item deleted from agenda

**11. Departmental Monthly Reports** – Presented by information only.

**PUBLIC COMMENTS** - At this time, any person will be allowed to speak on any matter that pertains to City business. Pastor John Hicks announced the Community Thanksgiving Service at the Greater Friendship Baptist Church and that the First United Methodist Church would be serving lunch on Thanksgiving Day. The Community Christmas Cantata will be December 13, 14, and 15 at First United Methodist Church.

Jerry Cochrane stated that an effort should be made to ascertain who owns Francisco Street because it is in disrepair. City Manager Perry stated he will be meeting with the County Administrator and will discuss it with him.

**COMMENTS FROM THE CITY MANAGER** – City Manager Perry commended Public Works Director Scheffler and Lee Marvin for the Viva 500 booth. He stated it was by far the nicest booth at the event. Commissioner Gardner echoed Mr. Perry's sentiments and stated the display represents the City, the Chamber, tourism, etc. very well and felt it was a sweet success.

Public Works Director Scheffler informed the Commission that the alley behind Dixie Fried Chicken has been repaved and rebuilt. He stated that a local vendor will be making other asphalt repairs behind the Florida City Gas line. City Manager Perry stated that Florida City Gas is planning a luncheon in December to update the Commission.

Library Director Barrett stated that great things are happening at the Library. She stated that the classes offered to low income residents and the tutoring classes are going very well. Ms. Barrett stated she made a presentation to the Hendry County Education Task Force and they voted to give the Library \$20,000.

**COMMENTS FROM THE CITY COMMISSION** – Commissioner Gardner stated as the Thanksgiving and holiday seasons approach, she knows there have been some easy days and some not so easy days, and she has a heart full of gratitude for our directors and employees when they go above and beyond.

Commissioner Pittman asked for an update on the golf course sign. Public Works Director Scheffler stated he has almost all of the documentation needed to send the application to FDOT. Commissioner Pittman stated that for months he has been asking about the Diaz property with crushed asphalt which has been sealed, and includes our ROW. There was a discussion about how, when and why this was allowed and the problems it has created. City Attorney Schoech will look into this matter and see if changes need to be made on the lot. Mr. Schoech will report back to the Commission at the next meeting on this matter.

**ADJOURNMENT:** The meeting was adjourned at 6:25 p.m.

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Phillip Roland, Mayor

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Marilyn McCorvey, City Clerk